



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Smith, *et al.*
Serial No.: 10/623,364
Filed: July 18, 2003
Confirmation No.: 3164
Customer No.: 33123
For: *IN-SITU INTERFEROMETER
ARRANGEMENT*
Art Unit: 2872
Examiner: Not yet assigned

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Commissioner for Patents
PO Box 1450
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1/23/04
Date

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TRANSMITTAL LETTER

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith are an Information Disclosure Statement, Form PTO-1449 (2 pages), and cited references for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 05-1213, as stated below:

[X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§ 1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 05-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: David A. Hall
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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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PO Box 1450
Alexandria, VA 22313-1450

1/23/04
Date

[Signature]
Signature

**INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits of the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, then any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all material references known by Applicant or Applicants' representative, this Information Disclosure Statement prepared in accordance with 37 C.F.R. §§ 1.97-1.98 is hereby submitted. The Form PTO-1449 (1 page) is provided herewith for filing in connection with the above cited application. The cited references that comprise issued U.S. patents are not attached, per the Notice of waiver published in the Official Gazette on August 5, 2003. A copy of the non-patent document is provided, per 37 C.F.R. § 1.98(a)(2).

The document(s) cited on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

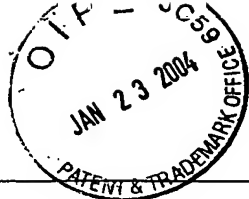
Although these documents and information are made known to the Patent and Trademark Office in compliance with Applicants' duty of disclosure, such disclosure is not to be construed as an admission by Applicants or Applicants' representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

Applicants respectfully request that the Examiner review the foregoing references and request that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: David A. Hall
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.56, § 1.97, and § 1.98 FORM PTO-1449 Sheet 1 of 1	APPLICATION SERIAL NO.: 10/623,364	ATTORNEY DOCKET NO.: 38203-6215
	APPLICANTS: A. Smith et al.	
	FILING DATE: July 18, 2003	GROUP ART UNIT: 2872

U.S. PATENT DOCUMENTS						
† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	A*	5,828,455	10/27/1998	Smith et al.	356/354	03/07/1997
	B*	5,978,085	11/02/1999	Smith et al.	356/354	10/23/1997

FOREIGN PATENT DOCUMENTS					
† EX'R INITIAL	*REF. #	DOCUMENT NO.	DATE	COUNTRY	TRANSLATION (YES/NO)
		NONE			

NON-PATENT DOCUMENTS		
† EX'R INITIAL	*REF. #	CITATION (Author, Article Title, Journal/Book Title, Date, Pertinent Pages, etc.)
	C	Y. Shiode et al., "Method of Zernike Coefficients Extraction for Optics Aberration Measurement", <i>SPIE</i> , Vol. 4691, 2002, pp. 1453-1464.

EXAMINER'S SIGNATURE	DATE CONSIDERED
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† EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609. Line through citation if not in conformance and not considered. *Include copy of this form in next communication to applicant.*

* If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. 1.98(d), or a copy is not provided per the Office waiver published in the Official Gazette on August 5, 2003.

TITLE: **IN-SITU INTERFEROMETER ARRANGEMENT**